

APR 9 1990

TOBACCO GENERAL

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JNN 1pp

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SMH 1pp

TAA 1pp

CNDS 1pp

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KAM 1pp

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PMW 1pp

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INGREDIENTS

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PRIVILEGED & CONFIDENTIAL
ATTORNEYS' WORK PRODUCT

April 4, 1990

MEMORANDUM

To: Messrs. James L. Charles (Philip Morris)
William H. Deines (Brown & Williamson)
John F. Anders (American Tobacco)
Alex W. Spears (Lorillard)
Robert Suber (R.J. Reynolds)
Charles A. Blixt (R.J. Reynolds)
R. Herbert Wallick (Liggett Group)

At yesterday afternoon's second round of hearings on the Kennedy bill, S. 1883, Panel 3 consisted of Dr. Gary Williams of the American Health Foundation and John Rupp of our firm who substituted for another of our partners, Richard Kingham, who was necessarily detained in Pennsylvania on another tobacco matter.

The prepared statements of Dr. Williams and Mr. Kingham are enclosed for your information. During this panel, the only senator present was Paul Simon of Illinois, who took over for Senator Kennedy who departed prior to the additives testimony. Dr. Williams spoke for a few minutes. He stated that based on their examination of the available literature there was not an adequate data base available on the safety of additives to cigarettes under their intended use, i.e., to be burned. He then said that there were a number of additives on the 1988 English list which arouse some concern and that these were listed in his prepared statement. He did not mention any specific additive in his oral testimony. He concluded on the note that there should be an appropriate testing program.

Mr. Rupp briefly summarized the points in the Kingham statement, with the major emphasis being that there is no need for additional legislation dealing with additives since the program provided in the 1984 legislation is in place and functioning. He was asked no questions relating to additives with a sole question from Senator Simon being directed to the Tobacco Institute's policies with respect to youth smoking.

We will make time available during our meeting on April 11 to cover any aspects of the Williams testimony that you wish to discuss.

Clausen Ely, Jr.

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